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Community Development Department

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MINUTES

**Village of Westmont
Community Development Committee
Regular Meeting August 4, 2016, 4:30 p.m.**

Westmont Village Hall Executive Session Room
31 West Quincy Street, Westmont, IL

I. Call to Order

Chairman Bruce Barker called the meeting to order at 4:30 p.m.

II. Roll Call

Board Members

Ron Gunter, Mayor
Jim Addington, Trustee
Bruce Barker, Trustee/Chairman
Linda Liddle, Trustee
Virginia Szymiski, Village Clerk
Marie Johanik-Guzzo, Trustee

Staff

Steve May, Village Manager
Jill Ziegler, Community Development Director
Joe Hennerfeind, Planner II
Tony Billo, Building Inspector
Larry Forssberg, Chamber of Commerce Executive Director
Tom Mulhearn, Chief
Jim Connolly, Deputy Chief
Steve Riley, Deputy Chief
Spencer Parker, Finance
Mary Slattery, Administrative Assistant

III. Pledge of Allegiance

IV. Minutes

Chairman Barker made a motion to approve minutes from last meeting, Trustee Guzzo approved and seconded by Trustee Liddle, all in favor, minutes approved.

V. Unfinished business

- A. Inspection fee discussion was continued from May 26, 2016.
Community Development Director Jill Ziegler explained for the past year there have been discussions about making updates to the building fees with the intention of making the fees

more reasonable for single family residents and potentially increasing the fees for commercial without making them unreasonable. There is a draft ordinance which was drawn up by Nick Weinert, former Building Commissioner, and the Village Attorney. The Community Development Department would like to revisit items such as plan review fees, fences, hvac and water heaters.

Planner Joe Hennerfeind explained the fence fee was brought down from \$150.00 to \$75.00 about one year ago. The proposed ordinance currently states a flat \$75.00 fee for all residential which includes fences and it does increase based on the cost of the fence. If there is a planning review needed, it would increase by \$25.00. Would want some revisions to exempt the additional \$25.00 review fee to keep costs comparable to neighboring communities.

Community Development Director Jill Ziegler would like to wait for the new Building Commissioner to be in place before accepting and approving the new text amendment. It would make sense for the new Commissioner to review the fees and then immediately bring to the Village Board for adoption.

Chairman Barker would like to have the changes drawn up to show the fee reductions as well as what the new fees will be in the future to show the residents. Planner Joe Hennerfeind has a spreadsheet that he will update with the new numbers.

VI. Reports and New Business

A. Building Division

Currently interviewing for the Building Commissioner position, which has been revised to be a Building Division Manager. The two seasonal property maintenance employees have been hired. The Code Inspectors have been training them and they are now working on projects on their own. The seasonal employees will be with the Village at least through October. Next hires will be full time property maintenance position and full time engineer, which are both replacement positions.

a. Plumbing Code Amendments

The amendments were adopted before the Building Commissioner resigned.

b. Building Permits

Highlights include the Hilton remodel and the associated B restaurant, Express Oil, McGrath Acura, the Audi addition with the new parking garage, Aspired Senior Living, and Tesla's interior build-out.

c. Code Enforcement

Code Inspector Tony Billo updated the committee on 101 N. Hudson. The framing has started and the neighbors are happy this is resuming and moving forward. At 30 West End, progress has been made and the property owner seems to be working hard on this. This property has been in court for several months and a punch list for the owner was provided to be completed within 30 days. The owner seems to be actively working on this daily when staff drives by to re-inspect or take pictures.

On-going Code Issues

At 505 Blackhawk Dr., the owner does not want to make repairs but the Village is trying to get the owner to make improvements.

Contact has been made with the owner's sons of 18 N. Adams to clean up the property;

vegetation, debris and garbage have been cleaned up so far. Staff offered the public works truck, which was refused. The son is trying to get the garage cleaned up so the owner can take their collections and store them in the garage out of sight. This is a recurring problem because once things get cleaned up, the owner brings back more garbage.

Inspector Dorian Kraska is working with an ongoing tree issue at 55th St. and Lindley Ave. The tree is on private property and hanging over public right away. Property owner does not want to take care of maintaining the tree. It is now a safety concern. Homeowner is responsible and it is the owner's liability if someone gets hurt.

Accessible parking-Ogden Cass Mall have all new accessible parking in the lot. Anchor Rock on the south side of town did not have accessible parking and was asked to provide this. The 7-Eleven on North Cass Ave. was remedied after a letter was sent to them. Grill 89 was turned over to the Attorney General as they refused to work with the Village and do not have any accessible parking at all. The Attorney General's office will issue fines if they do not comply.

Chairman Barker asked about the Matias property which is not open currently and remodeling certain items that do not need permits at this point. A code inspector will contact the Fire Department and the Health Department to review the place before the store re-opens.

Active Court Cases

Community Development Director Jill Ziegler reported on 224 Willard and 30 West End. West End is actively moving forward and is continued until September to finish their siding and exterior renovations.

The Willard property was given 30 days to do a cleanup so the Village can get on site to see if the foundation is structurally sound. The Village will be following up weekly to check on the progress of the clean up. If no progress has been made, the Village Attorney will contact their Attorney to push them along and if no results they will return to court.

On 8/5/16, there was field court for Westview Shopping Center for a retaining wall. The case was closed because the retaining wall was fixed.

A fine was put in place for a contractor who was doing multiple projects without a permit. The contractor was doing work outside the scope of the permit for multiple projects around town.

B. Planning division

a. Project updates from Planner Joe Hennerfeind

224 and 226 W. Burlington, the developer requested to build duplex units which were continued as the Planning and Zoning Commission wanted to see better architectural details, similar to the previously approved townhouses one block further to the west.

Planning and Zoning Commission will meet on August 10th to discuss the BMW proposed consolidation and vacation of Westmont Drive with a large new auto dealership complex for BMW. Westmont Village Apartments was continued because the property owner needed to request additional variances. The owner is requesting to rezone to a planned development and wanted to get existing nonconformities grandfathered on the property, including the setbacks. As of August 17th, the Hilton has resubmitted for the apartment/natatorium project. What was a seven story building with 326 units has been revised with three story wings. The apartments are six stories now, the parking garage is eight stories but one is below ground. The plans have

expanded the garage, so the parking variance is not being requested. The Hilton will put in the PD agreement that the tent will be made into a barn-like structure within two years of construction. There are now 250 units being proposed. The developer was asking for a F.A.R. of .95 and has reduced that to .86.

Other Projects

514 64th street, a lot split will be requested for two single family homes.

Napleton Porsche is requesting to combine the Porsche and Lamborghini buildings into one for a larger Porsche expansion.

There is a special use request to occupy the building at 35 N. Cass Ave. for a veterinary clinic. The building has been vacant for over ten years.

Chairman Barker had a question on the status of the townhouses next to the Health Department. The plans are still being reviewed.

b. Strategic Plan Action Items

Community Development Director Jill Ziegler discussed an item referred to the CDC about investing in streetscape improvements for all business corridors by implementing comprehensive plan streetscape recommendations. Staff would like to form a subcommittee. Parks Director Bob Fleck is very interested and has previously done some work in this area and has provided plans to staff from previous downtown work. Gregg Pill is also very interested. Some of the improvement areas would include working on Ogden Avenue by decreasing curb cuts, decreasing overhead utilities, increasing landscaping, adding bike lanes, adding street trees, and providing better signage to make it look attractive to potential businesses.

VII. MISCELLANEOUS:

Community Development Director Jill Ziegler discussed a video gaming proposal from Brown's Chicken on West Ogden Avenue. The Economic Development Committee referred this to the Community Development Committee to get potential board direction for staff to provide research to the Village Board and have staff research the following: similar size towns that allow video gaming, the number of establishments, the number of terminals and the amount of money played. This data would be put into a comparables chart to review. The Finance Committee discussed the amount charged per terminal for video game license and it is currently \$25.00 per license because we are not home rule. The Village has 53 terminals in town and could be charging \$1000.00 per terminal per year if home rule status was in place.

Questions/issues that need to be addressed:

1. Effect on re-development potential.
2. Cap the number of terminals/establishments.
3. Reputation and perception.
4. Impact on school districts.
5. Family friendly environment.
6. Promote failing businesses that are not reinvesting into their businesses.
7. Does it help revitalize a failing strip mall or just make money for the tenant?
8. Is the Village taking in undesirable uses from other communities?

A bigger issue is getting proposals from potential businesses under the guise of putting in a kitchen and becoming a restaurant and not be a video gaming place. Anna's Place is an example of promoting a family friendly restaurant. Upon submitting the sign proposal, the presentation

appeared to be 90 percent video gaming.

Deputy Chief Jim Gunther presented a chart which referenced the amount of establishments in the surrounding towns, how much is played, population of the community, square miles of the community and ratio of how many establishments by area per square miles.

Westmont currently has 11 establishments but has approximately 5 more restaurants that want to have video gaming.

With the 11 establishments, there is one establishment for every half square mile and with the potential addition of five more, it would come out to be one establishment every third square mile.

Mayor Ron Gunter asked what are the requirements for getting a gaming license. Deputy Chief Jim Gunther explained gaming licenses were supposed to be built around the concept of a kitchen build out with it being primarily restaurant and the gaming being an ancillary use but this is not how it is being operated after approvals are granted.

Trustee Marie Guzzo suggested putting a cap on the amount of gaming licenses allowed.

Trustee Jim Addington suggested to cap off at 14 and the 15th would be reserved for the OakBrook Hilton Hotel.

Village Manager Steve May suggested the approach is to set something up to entertain a liquor license to talk about adjusting a limit. The Village can look for these mechanisms to control the video gaming.

Chief Mulhearn reminded the committee of the capping of liquor licenses, not video gaming, is what can be controlled at the Village level. An area of concern is the Mayor can deny liquor license but the applicant can appeal to the Illinois Liquor Control Commission which can overrule the Mayor and award a liquor license and then hence, the applicant can get video gaming. The Director of Liquor Control Division said the Village is correct in the process by going through zoning. Chief Mulhearn will talk with the Director again and get more ideas on how to regulate this in Westmont.

The Neutral Zone is now closed and after 90 days the liquor license is suspended.

VII. ADJOURN-motion by Trustee Linda Liddle, seconded by Trustee Jim Addington.